

Remarks

Claims 1-4 and 15 are pending in the subject application. Claims 5-14 had previously been withdrawn; however, by this Amendment, the applicants are canceling claims 5-14 as being drawn to non-elected subject matter. Further, the applicants have cancelled claims 4 and 15 and have amended claim 1. Support for the amendment to claim 1 can be found throughout the subject specification as originally filed, and specifically at, for example, the paragraph bridging pages 13 and 14. Entry and consideration of the amendments presented herein is respectfully requested. Accordingly, claims 1-3 are currently before the Examiner. Favorable consideration of the pending claims is respectfully requested.

The amendments set forth herein have been made to lend greater clarity to the claimed subject matter and to expedite prosecution by focusing the claims on the subject matter indicated by the Examiner to be allowable. These amendments should not be taken to indicate the applicants' agreement with, or acquiescence to, the rejections of record. The applicants appreciate the Examiner's indication of allowable subject matter. Favorable consideration of the claims now presented, in view of the remarks and amendments set forth herein, is earnestly solicited.

Claims 1-4 and 15 have been rejected under 35 U.S.C. §112, first paragraph. As noted above, the applicants have cancelled claims 4 and 15 and have amended claim 1 to more clearly define the claimed subject matter. Specifically, claim 1 has been amended to clarify that the artificial chromosomes of the subject invention comprise a very specific polynucleotide sequence that is between C $\delta$  and C $\gamma$ 3, and regulates immunoglobulin gene activation during lymphoid development. As described in the applicants' specification, and as noted by the Examiner, polynucleotide sequences having this 1.3 kb fragment have been shown to have excellent functional utility. Accordingly, the applicants respectfully request reconsideration and withdrawal of the rejection under 35 U.S.C. §112, first paragraph.

In view of the foregoing remarks and amendments to the claims, the applicants believe that the currently pending claims are in condition for allowance, and such action is respectfully requested.

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